

### **REMARKS**

Claim 1 is amended to clarify the invention. Claim 2 is cancelled and its content is included in amended Claim 1. New Claim 5 is added. Claims 1, 3 and 5 remain under consideration in this application, Claim 4 being drawn to a non-elected invention. No claim was previously indicated as allowable.

Claim 1 stands rejected under 35 U.S.C. 102(b) as being anticipated by JP10004653 to Sugiyama ("*Sugiyama*"). The Applicant respectfully traverses this rejection.

The rejections of Claim 1 and 2 contend that *Sugiyama* discloses, among other elements, a plane carbon commutator in which tip ends of cut-rising pieces (21) functioning to allow insertion of the engaging projections (17P) into the engaging holes (15H), but operative to prevent the engaging projections (17P) from being pulled out from the engaging holes (15H) are projected from peripheral edges of the engaging holes (15H), and peripheral faces of tip end side engaging projections (17P) which have passed through the engaging holes (15H) provided in the segments (15) are formed into coarse faces (Fig. 7C) by the cut-rising pieces (21) provided on the peripheral edges of the engaging holes (15H).

However, the Applicant's plane carbon commutator, as defined in amended Claim 1, requires that a time at which said engaging projections pass through said engaging holes provided in said segments equals a time at which the peripheral faces of the tip end side of said engaging projections become coarse faces by said cut-rising pieces provided on said peripheral edges of said engaging holes.

In contrast, *Sugiyama* does not disclose the peripheral faces of the tip end side of the engaging projections (17P) becoming coarse faces by the cut-rising pieces (21) provided on the peripheral edges of the engaging holes at the time when the engaging projections (17P) pass through the engaging holes (15H). In paragraph [0022], *Sugiyama* discloses that cut-rising pieces (21) are formed at peripheral parts of the engaging holes (15H) of segments 15 by the tool 19 after the engaging protrusions (17P) of the carbon (17) are inserted into the engaging holes (15H), which is also shown in Figs. 7 (A)-(C). In

*Sugiyama*, the cut-rising pieces (21) have not been formed when the engaging projections (17P) pass through the engaging holes (15H), and thus, it is not possible for the peripheral faces of the engaging projections (17P) to become coarse faces by the non-existing cut-rising pieces (21).


Accordingly, *Sugiyama* fails to disclose that a time at which the engaging projections pass through the engaging holes provided in the segments equals a time at which the peripheral faces of the tip end side of said engaging projections become coarse faces by the cut-rising pieces provided on the peripheral edges of the engaging holes, as defined by amended Claim 1. Accordingly, *Sugiyama* does not anticipate amended Claim 1.

Claim 3 depends from independent Claim 1. The remarks made above in support of the independent claim are equally applicable to distinguish the dependent claim from the cited reference.

New Claim 5 in effect defines the present invention with more positive recitation of the structural differences over the cited reference.

The foregoing is submitted as a complete response to the Office Action identified above. This application should be in condition for allowance, and the Applicant solicits a notice to that affect.

Respectfully submitted,



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